

1 **Timothy T. Scott (SBN 126971)**  
tscott@sidley.com  
2 **Geoffrey M. Ezgar (SBN 184243)**  
gezgar@sidley.com  
3 **Paul L. Yanosy (SBN 233014)**  
pyanosy@sidley.com  
4 **SIDLEY AUSTIN LLP**  
555 California Street  
5 San Francisco, California 94104  
Telephone: (415) 772-1200  
6 Facsimile: (415) 772-7400

7 **Paul E. Kalb, M.D.**  
8 **SIDLEY AUSTIN LLP**  
1501 K Street, N.W.  
Washington, D.C. 20005  
9 Telephone: (202) 736-8000  
10 Facsimile: (202) 736-8711

11 **Nina M. Gussack**  
12 **Andrew R. Rogoff**  
13 **PEPPER HAMILTON LLP**  
3000 Two Logan Square  
Eighteenth and Arch Streets  
14 Philadelphia, PA 19103-2799  
Telephone: (215) 981-4000  
Facsimile: (215) 981-4750

15 **Attorneys For Defendant**  
16 **ELI LILLY AND COMPANY**

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 STATE OF CALIFORNIA *ex rel.* JAYDEEN ) Case No. 07-cv-04911-SI  
21 VICENTE and JAYDEEN VICENTE )  
22 Individually, ) Assigned to: Hon. Susan Illston  
23 Relator, )  
24 v. ) **DECLARATION OF TIMOTHY T. SCOTT**  
25 ) **IN SUPPORT OF DEFENDANT ELI LILLY**  
26 ) **AND COMPANY'S *EX PARTE* MOTION**  
27 ) **TO PLACE DOCUMENTS UNDER SEAL**  
28 )

ELI LILLY AND COMPANY,  
Defendant.

1 I, Timothy T. Scott, declare as follows:

2 1. I am an attorney with Sidley Austin LLP. I am admitted to this Court and am  
3 one of the attorneys representing defendant Eli Lilly and Company (“Lilly”) in the above-captioned  
4 matter. I make this declaration in support of Lilly’s *Ex Parte* Motion to Place Documents Under  
5 Seal (the “Motion”).

6 2. On October 9, 2007, I spoke to Mark Burton, one of the attorneys at Hersh &  
7 Hersh representing Relator, and informed him that Lilly would be filing the Motion. Mr. Burton  
8 stated that Relator would oppose the Motion.

9 I declare under penalty of perjury under the laws of the United States that the  
10 foregoing is true and correct. Executed on this 9<sup>th</sup> day of October 2007 at San Francisco, California.

11  
12 s/Timothy T. Scott

13 Timothy T. Scott  
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